

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Julie Kellogg Willenbring, an individual,
and Glenn Brian Willenbring, her husband,

Civil No. 08-4760 (MJD/LIB)

Plaintiffs,

v.

City of Breezy Point, a Minnesota municipal entity;
Officer Josef Garcia, badge # _____
personally, and in his capacity as a Police officer;
Deputy Kelly Park, personally, and in her capacity as a
peace officer; Officer Jay Lorch, badge # _____
Officer Chad Nangle, badge # _____, personally and in his
capacity as a Police officer, Officers Jane Doe and
Richard Roe, unknown and unnamed Breezy Point Police
officers, personally, and in their capacities as Police
officers; and Breezy Point International, Inc.,
and Whitebirch, Inc. as operators of the Marina Bar,

Defendants.

MOTION FOR AMENDED ORDER

TO: Plaintiffs above-named and their counsel of record, Albert T. Goins, Sr., 301-4th
Avenue South, Ste. 378N, Minneapolis, MN 55415:

The City of Breezy Point Defendants move this Court for an Amended Order to correct a clerical error. The September 16, 2010 Order states the date of the incident is July 28, 2009, which is also the date reflected in Plaintiff's Memorandum in Opposition to Summary Judgment. (*See Doc. 57, at 2 and Doc. 43, at 3*) However, as set forth in our Memorandum of Law in Support of Summary Judgment and the associated record,

the correct date of the incident is July 28, 2007. (*Doc. 31-1*). The cases relied upon by the Court were decided after July 28, 2007. Accordingly, the City Defendants seek reconsideration of the Motion for Summary Judgment based on the correct date, or correction of the Order indicating the correct date of the incident. Defendants do not believe a hearing is necessary.

IVERSON REUVERS

Dated: October 15, 2010

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